

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JITTAWEE CURLY BEARCUB,

Defendant.

**CR-05-09-GF-BMM**

**ORDER**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on September 2, 2021. (Doc. 132.) Jittawee Bearcub (Bearcub) filed an objection on September 16, 2021. (Doc. 133.) The Court reviews de novo findings and recommendations to which a party objects. 28 U.S.C. § 636(b)(1).

Judge Johnston conducted a revocation hearing on August 31, 2021. (Doc. 128.) The United States accused Bearcub of violating his conditions of supervised release by 1) using methamphetamine; 2) by failing to report to his probation officer as directed; and 3) by failing to report for substance abuse testing. (Doc. 125.) At the revocation hearing, Bearcub admitted to violating the terms of his supervised release 1) using methamphetamine; 2) by failing to report to his

probation officer as directed; and 3) by failing to report for substance abuse testing. (Doc. 128.) Judge Johnston found the violation Bearcub admitted is serious and warrants revocation of Bearcub's supervised release. Judge Johnston recommended Bearcub be incarcerated for 8 months, with a lifetime of supervised release to follow, with the first 60 days of supervised release in a secure inpatient drug treatment facility and the next 180 days in a residential re-entry center, if he is eligible. (Doc. 132.) Bearcub was advised of his right to appeal and his right to allocute before the undersigned. (Doc. 128.)

Bearcub now opposes Judge Johnston's Findings and Recommendations, objecting to the length of his sentence of imprisonment. (Doc. 133.)

The Court has reviewed Judge Johnston's Findings and Recommendations as well as Bearcub's objection. The undersigned conducted a revocation hearing on September 20, 2021. (Doc. 135.) Bearcub and his attorney were allowed to allocute before the undersigned. (*Id.*) The Court has also considered the 18 U.S.C. § 3553(a) factors and agrees with Judge Johnston's Findings and Recommendations.

Bearcub's violation of his conditions of supervised release represents a serious breach of the Court's trust. This violation proves serious. Judge Johnston has recommended that the Court revoke Bearcub's supervised release and commit him to the custody of the Bureau of Prisons for 8 months (132.) Judge Johnston

further recommended a lifetime of supervised release to follow, with the first 60 days of supervised release spent in a secure inpatient drug treatment facility and the next 180 days in a residential re-entry center, if he is eligible. (*Id.*)

Accordingly,

**IT IS HEREBY ORDERED** that Bearcub's objection is denied. Judge Johnston's Findings and Recommendations, (Doc. 132) are ADOPTED IN FULL.

**IT IS FURTHER ORDERED** that Defendant Jittawee Curly Bearcub be sentenced to the custody of the Bureau of Prisons for 8 months, with a lifetime of supervised release to follow, with the first 60 days of supervised release in a secure inpatient drug treatment facility, such as Connections Corrections, and the next 180 days of supervised release spent in a residential re-entry center, if eligible. This sentence should run concurrent with the sentences imposed in causes CR-07-117-GF-BMM and CR-18-83-GF-BMM.

DATED this 20th day of September, 2021.

A handwritten signature in blue ink, reading "Brian Morris".

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Brian Morris, Chief District Judge  
United States District Court

